

IN THE UNITED STATES DISTRICT

FOR THE MIDDLE DISTRICT OF ALABAMA

Courtney Boyd #208921
Plaintiff

VS.

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CV-511-20KW

Dr. Darboise et al,
Defendants 2007 MAY 17 A 11:45

MOTION FOR TRIAL BY THE COURT
OR TRIAL BY THE JURY

Comes Now, The plaintiff, Courtney Boyd, makes into this Honorable Court pursuant to Rule 39(b) & 38 Fed. R. C.V. Proc. Requesting that a trial be held by this Honorable Court on the above matter. The plaintiff submit the following in support of this Motion:

1. The plaintiff filed an Complaint against the above defendants for retaliating against him by taking his back brace, Bottom Bed, Profiles, because He filed an Complaint to the head Office against them for not giving him proper medical care.
2. The plaintiff has suffered serious pain, because the Defendant took his back brace. His lower back pain has started making his whole lower body to go out and numb. This cruel and unusual punishment being inflicted upon the plaintiff is without just cause, but was done to cause serious harm to the plaintiff.

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3. The plaintiff request that he be given an trial by the Court or the jury to determine the issue at hand.
4. When trial by jury has demanded as provided in Rule 38(a)(b) or 39(a) Fed. R. C.V. Proc. the action shall be designated upon the docket as a jury action.

Wherefore The plaintiff prays that this Honorable Court will grant this motion and set this matter down for an trial by the Court or by the jury.



Certificate of Service

I hereby certify that I have served a copy of the foregoing upon the Defendants Counsel by placing it into Easterling Lurr, Felt Mail Box on May 14 2007.



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